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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CALLIE GREEN,

Plaintiff,

v.

ABBOTT LABORATORIES,

Defendant.

CASE NO. 4:22-CV-03930-JSW

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND CASE MANAGEMENT
CONFERENCE AND REQUIRING STATEMENT
RE MOTION TO DISMISS**

*[Declaration of Melanie M. Blunschi filed
concurrently herewith]*

Judge: Jeffrey S. White
Courtroom: 5

Pursuant to Local Rules 6-2 and 16-10(a) and this Court's Order Setting Case Management Conference (Dkt. No. 10), Plaintiff Callie Green ("Plaintiff") and Defendant Abbott Laboratories ("Abbott"), by and through their respective counsel of record, hereby stipulate as follows:

1. WHEREAS, on July 5, 2022, Plaintiff filed her Complaint seeking damages and injunctive relief based on alleged misrepresentations on certain infant formula products that Abbott manufactures, *see* Dkt. No. 1;

2. WHEREAS, on July 13, 2022, the Court scheduled the initial Case Management Conference for October 7, 2022, at 11:00 A.M., via Zoom Webinar, *see* Dkt. No. 10;

3. WHEREAS, on August 29, 2022, Abbott filed a Notice of Related Case regarding an earlier-filed putative class action in *Ramsey-Standage v. Abbott Labs.*, No. 22PH-CV00853 (Phelps County, Missouri);

4. WHEREAS, on Thursday, September 22, 2022, the Missouri state court in *Ramsey-Standage* granted preliminary approval to a proposed class action settlement with Abbott covering a nationwide class of Similac Infant Formula purchasers, *see* Declaration of Melanie M. Blunski ¶ 3;

5. WHEREAS, the parties agree that good cause exists to extend the date of the Case Management Conference by 28 days, or to the next date thereafter that is convenient for the Court, so as to ensure they have sufficient time to meet and confer regarding the implications of the *Ramsey-Standage* settlement on this matter before preparing a joint proposal regarding discovery, trial format, and duration in this case;

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel, subject to the Court's approval, that a case management conference is scheduled for November 4, 2022, at 11:00 A.M. via Zoom Webinar, or the next date thereafter that is convenient for the Court, and the joint case management statement shall be filed no later than five (5) court days prior to the conference.

1 Dated: September 26, 2022

Respectfully submitted,

2 LATHAM & WATKINS LLP

3 /s/ Melanie M. Blunschi

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11 *Attorneys for Defendant Abbott Laboratories*

13 Dated: September 26, 2022

Respectfully submitted,

14 /s/ Jack Fitzgerald (with permission)

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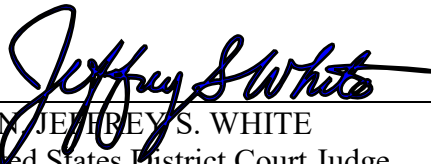
26 *Counsel for Plaintiffs*

~~PROPOSED~~ ORDER

Having read and considered the Joint Stipulation to Extend Case Management Conference (“Stipulation”), and for good cause shown, the Stipulation is approved. The Court ORDERS that the Case Management Conference be extended to November 4, 2022, at 11:00 A.M. via Zoom Webinar. The Court FURTHER ORDERS the parties to file a joint statement by October 14, 2022 regarding whether Defendant intends to pursue its motion to dismiss, currently set for hearing on December 9, 2022.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 27, 2022


HON. JEFFREY S. WHITE
United States District Court Judge